

No. P. 218—Legis. 26-21-1, dated 18th July 1925.

Ordered that the accompanying Regulation to amend the Mysore Factories Regulation, 1914 which received the assent of His Highness the Maharaja, on the seventh day of July, 1925, be published as Regulation No. VI of 1925, in the *Mysore Gazette*, for general information.

By Order,

B. NAGAPPA,

Secretary to Government,

Local and Legislative Departments.

REGULATION, VI OF 1925.

(RECEIVED THE ASSENT OF HIS HIGHNESS THE MAHARAJA ON THE SEVENTH DAY OF JULY 1925.)

A REGULATION TO AMEND THE MYSORE FACTORIES REGULATION, 1914.

Whereas it is expedient to amend the Mysore Factories Regulation, 1914, His Highness the Maharaja is pleased to enact as follows:—

1. (1) This Regulation may be called the Mysore Factories (Amendment) Regulation, 1925.

Title and commencement.

(2) It shall come into force on the expiry of three months from the date of its first publication in the Official Gazette.

2. In section 2 of the Regulation,

Amendment of section 2.

(a) In clause 1 for the word "fourteen" the word "fifteen" shall be substituted;

(b) For clause 3, the following clause shall be substituted,

(3) "Factory" means—

Factory defined.

(a) Any premises wherein, or within the precincts of which, on any one day in the year not less than twenty persons are simultaneously employed and steam, water or other mechanical power or electrical power is used in aid of any process for, or incidental to, making, altering, repairing, ornamenting, finishing, or otherwise adapting for use, for transport or for sale any article or part of an article; or

(b) Any premises wherein, or within the precincts of which, on any one day in the year not less than ten persons are simultaneously employed and any such process is carried on whether any such power is used in aid thereof or not, which have been declared by the Government by notification in the Gazette, to be a factory.

A declaration under clause (b) may be made in respect of any class of premises, or in respect of any particular premises.

(c) For clauses (8) and (9), the following clause shall be substituted, viz.,

"(8) 'week' means the period between midnight on Saturday night and midnight on the succeeding Saturday night."

3. For section 3 of the Regulation, the following section shall be substituted, viz.,

"3. Nothing in this Regulation shall apply to any mine subject to the operation of the Mysore Mines Regulation."

4. In section 7 of the Regulation for sub-section (2), the following sub-sections shall be substituted, viz.,

"(2) A certifying Surgeon may revoke any certificate granted to a child under sub-section (1) if, in his opinion, the child is no longer fit for employment in a factory.

(3) Where a certifying Surgeon refuses to certify that a person is fit for employment in a factory or revokes a certificate granted to a child in this behalf, he shall, if required by such person or child, or by the parent or guardian of such child, or by the manager of the factory in which such person or child desirous to be employed, state in writing his reasons for such a refusal or revocation."

5. In section 8 of the Regulation—

In the proviso, for the words "after the first date" to the end of the section, the words "for a period of more than three months" shall be substituted.

6. After section 8 in Chapter II of the Regulation, the following section shall be inserted, *viz.*,

Compulsory
medical exa-
mination:

"8A. Where an Inspector is of opinion that a child employed in a factory is no longer fit for employment, he may serve on the manager of the factory a notice requiring that such child shall cease to be employed until he has been re-examined by a certifying surgeon or by a Medical Practitioner, duly authorised by a certifying surgeon in this behalf."

7. To section 9 of the Regulation, the following clause shall be added, *viz.*,

"(d) The atmosphere shall not be rendered so humid by artificial means as to be injurious to the health of the persons employed therein."

8. In clause (c) of sub-section (1) of section 18 of the Regulation, after the word "Machinery" the words "and electrical fittings including live wires and switches" shall be inserted.

9. After section 18 of the Regulation, the following section shall be inserted, *viz.*,

Repairs to
buildings or
machinery

"18A. (1) If an Inspector is of opinion,

- (a) that any factory or part thereof is in such a condition as to be dangerous to human life or safety, or
- (b) that any part of the ways, works, machinery or plant used in a factory is in such a condition that it cannot be used without danger to human life or safety,

he may serve on the manager of the factory an order in writing specifying the measures which he considers necessary for removing the danger, and requiring him to carry them out before such date as may be specified therein.

(2) If, in the opinion of the Inspector, the use of any part of the ways, works, machinery or plant in a factory involves imminent danger to human life, he may serve on the manager of the factory an order in writing prohibiting the use thereof until it is duly repaired or altered."

10. After section 19 of the Regulation, the following sections shall be inserted, *viz.*,

Power to pro-
hibit presence
of children in
factories.

"19A. Where, in the opinion of the Inspector, the presence in any factory or any part thereof, of children, who, by reason of their age, cannot, under the provisions of this Regulation, be lawfully employed therein, involves danger to, or injury to the health of such children, he may serve on the manager of such factory an order in writing prohibiting the admission of such children to the factory or part thereof.

Prohibition of
employment
of women and
persons under
eighteen
years in cer-
tain processes.

"19B. No persons under the age of eighteen years and no woman shall be employed in any factory in any of the operations specified in Part I of the Schedule, or, save in accordance with the regulations contained in Part II of the Schedule, in any operation involving the use of lead compounds."

11. In the proviso to section 20 of the Regulation, after the word 'roof,' the words 'or to such height as the Inspector may in any particular case, specify' shall be inserted.

12. For section 21 of the Regulation, the following section shall be substituted, *viz.*,

Rest periods
in factories

"21. In every factory there shall be fixed—

(a) For each person employed on each working day,—

(i) At intervals not exceeding six hours, periods of rest of not less than one hour, or

(ii) At the request of the employees concerned, periods of rest of not less than half an hour each so arranged that, for each period of six hours work done, there shall be period of rest of not less than one hour's duration in all, and that no person shall work for more than five hours continuously.

13. In section 22 of the Regulation, (a) to clause (b) of sub-section 1, the following proviso shall be added; viz.,

"Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day."

(b) For sub-section (2), the following sub-section shall be substituted, viz.,

"(2) where in accordance with the provisions of Sub-section (1) any person is employed on a Sunday in consequence of his having had a holiday on one of the three days preceding that Sunday, that Sunday shall, for the purposes of calculating the weekly hours of work of such person, be deemed to be included in the preceding week."

(c) Sub-sections (3) and (4) shall be omitted.

14. (1) In clause (a) of section 23 of the Regulation for the word 'nine' the word 'eleven' shall be substituted.

"(2) In clause (c) of section 23, for the word 'seven' the words "five and half" shall be substituted.

(3) The provisions of clause (a) of section 23 as hereby amended, shall not apply to any child lawfully employed in a factory before the date on which this Regulation comes into force.

15. In section 25 of the Regulation after the word 'child' the words "or, save in such circumstances as may be prescribed any other person" shall be inserted.

16. In section 26 of the Regulation for the words "woman or child" and the words "woman and child" the word "person," shall be substituted.

17. For section 27 of the Regulation, the following sections shall be substituted, viz.,

"27. No person shall be employed in a factory for more than sixty hours in any one week.

28. No person shall be employed in any factory for more than eleven hours in any one day."

18. For Chapter V of the Regulation, the following Chapter shall be substituted, viz.—

"CHAPTER V.

EXCEPTIONS.

29. Nothing in any of the sections, 21, 22, 26, 27 and 28, shall apply to persons who may by rules made by Government under this Regulation be defined to be persons holding positions of supervision or management or to persons employed in a confidential capacity.

30. (1) Where it is proved to the satisfaction of the Government,

(a) that any class of work in a factory is in the nature of preparatory or complementary work which must necessarily be carried on outside the limits laid down for the general working of the factory; or

(b) that the work of any class of workers is essentially intermittent; or

(c) that there is in any class of factories any work which necessitates continuous production for technical reasons; or

Limitation of working hours per week.
Limitation of working hours per day.

Exceptions for persons holding positions of supervision, etc

Exemptions